

## RULES

Absent action by Congress, amendments to the following Federal Rules of Bankruptcy Procedure will become effective December 1, 2013.

### Rule 1007(b)(7)

**(7) Unless an approved provider of an instructional course concerning personal financial management has notified the court that a debtor has completed the course after filing the petition:** (A) An individual debtor in a chapter 7 or chapter 13 case shall file a statement of completion of the course, prepared as prescribed by the appropriate Official Form; **and (B)** An individual debtor in a chapter 11 case shall file the statement if § 1141(d)(3) applies.

### Rule 4004(c)(1)

**(1)** In a chapter 7 case, on expiration of the times fixed for objecting to a discharge and or filing a motion to dismiss the case under Rule 1017(e), the courts shall forthwith grant the discharge, ~~unless~~ **except that the court shall not grant the discharge if:**

**(H)** the debtor has not filed with the court a statement of completion of a course concerning personal financial management ~~as if~~ **required by Rule 1007(b)(7);**

**(K)** a presumption has arisen under § 524(m) that a reaffirmation agreement is an undue hardship **and the court has not concluded a hearing on the presumption;** or

### Rule 5009(b)

**(b)** Notice of Failure to File Rule 1007(b)(7) ~~Statement~~ **STATEMENT**. If an individual debtor in a chapter 7 or 13 case ~~has not filed the~~ **is required to file a** statement ~~required by~~ **under** Rule 1007(b)(7) **and fails to do so** within 45 days after the first date set for the meeting of creditors under § 341(a) of the Code, the clerk shall promptly notify the debtor that the case will be closed without entry of a discharge unless the **required** statement is filed within the applicable time limit under Rule 1007©.

### Rule 9006

**(d) For Motions—affidavits** **MOTION PAPERS**. A written motion, other than one which may be heard ex parte, and notice of any hearing shall be served not later than seven days before the time specified for such hearing, unless a different period is fixed by these rules or by order of the court. Such an order may for cause shown be made on ex parte application. When a motion is supported by affidavit, the affidavit shall be served with the motion; ~~and, except~~ **Except** as otherwise provided in Rule 9023, ~~opposing affidavits may~~ **any written response shall** be served not later than one day before the hearing, unless the court permits ~~them to be served at some other time~~ **otherwise**.

### Rule 9013

A request for an order, except when an application is authorized by these rules, shall be by written motion, unless made during a hearing. The motion shall state with particularity the grounds therefor, and shall set forth the relief or order sought. Every written motion other than one which may be considered ex parte shall be served by the moving party **within the time determined under Rule 9006(d)**. **The moving party shall serve the motion on:** (a) the trustee or debtor in possession and on those entities specified by these rules or, **(b) the entities the court**

~~directs if these rules do not require if service or specify is not required or the entities to be served are not specified by these rules, the moving party shall serve the entities the court directs~~

#### **Rule 9014**

**(b) Service.** The motion shall be served in the manner provided for service of a summons and complaint by Rule 7004 **and within the time determined under Rule 9006(d). Any written response to the motion shall be served within the time determined under Rule 9006(d).** Any paper served after the motion shall be served in the manner provided by Rule 5(b) F.R.Civ.P.